



IFW

Atty. Dkt. No. 040302-0326

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tatsuya HIGASHINO

Title: BATTERY MODULE

Appl. No.: 10/608,132

Filing Date: 06/30/2003

Examiner: Unassigned

Art Unit: 2834

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

In a counterpart Japanese application, a Japanese Office Action issued on May 7, 2004. According to an English translation obtained by Applicant's representative of the Japanese Office Action, the Japanese Patent Office made certain characterizations of the references.

According to the Japanese Office Action, document A1 discloses a battery module, comprising: a plurality of stacked cells, a top and bottom covers of module generating a pressure force, an outer force transferring pole for transferring the pressure force, a cell pressure plate for receiving the pressure force from the outer force transferring pole, and a rubber sheet for getting an even face pressure (claims 1-5, paragraph [0015]-[0018], Fig. 1). Further, there is a description that the battery module can be applied to a stacked flat secondary battery and can be expanded to several tens module (paragraph [0034]).

According to the Japanese Office Action, document A2 discloses a battery equipped with a plurality of cells, heat radiation plates put between the single batteries, catching plates for catching the plural cells, and coupling parts for coupling the catching plates.

According to the Japanese Office Action, documents A3 and A4 show that stacked cells are well known in a secondary battery.

Documents A5 and A6 disclose a battery pack.

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these

characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are provided herewith.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date JUL 14 2004

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Application Number</b>	10/608,132
Date Submitted: <b>JUL 1 4 2004</b>		<b>Filing Date</b>	06/30/2003
(use as many sheets as necessary)		<b>First Named Inventor</b>	Tatsuya HIGASHINO
		<b>Group Art Unit</b>	2834
		<b>Examiner Name</b>	Unassigned
		<b>Attorney Docket Number</b>	040302-0326

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A1	JP	2003-203615	A	NEC CORP.	07-18-2003		Abst.
	A2	JP	8-321329	A	SANYO ELECTRIC CO., LTD.	12-03-1996		Abst.
	A3	JP	2000-195480	A	OSAKA GAS CO., LTD.	07-14-2000		Abst.
	A4	JP	7-122252	A	SONY CORP.	05-12-1995		Abst.
	A5	JP	2003-257391	A	NISSAN MOTOR CO., LTD.	09-12-2003		Abst.
	A6	JP	2001-236937	A	TOYOTA MOTOR CORP.	08-31-2001		Abst.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>	

<b>Examiner Signature</b>		<b>Date Considered</b>	
-------------------------------	--	----------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.